

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**JESSICA JONES, et al.,**

Plaintiffs,

v.

**VARSITY BRANDS, LLC, et al.**

Defendants.

Case No. 2:20-cv-02892-SHL-tmp

**JURY DEMAND**

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**PLAINTIFFS' SUBMISSION FOR JANUARY 3, 2024 STATUS CONFERENCE**

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**PLAINTIFFS' SUBMISSION FOR JANUARY 3, 2024 STATUS CONFERENCE**

Plaintiffs respectfully submit this information in preparation for the upcoming Status Conference on January 3, 2024.

**I. CURRENT SCHEDULE**

On August 18, 2022, the Court issued its original scheduling order. ECF No. 342.

On February 10, 2023, Plaintiffs moved for class certification of the proposed classes. ECF No. 387.

On February 23, 2023, the Court issued a Notice of Setting a jury trial before Chief Judge Cheryl H. Lipman for March 11, 2024, at 9:30 a.m. in Courtroom No. 1, on the 11<sup>th</sup> floor of the Federal Building in Memphis, Tennessee. ECF No. 396.

For the Court's reference, below is a list of pending pretrial dates:

<b>DATE</b>	<b>ITEM</b>
1/3/2024	Status Conference.
1/10/2024	Proposed date on which parties will first exchange pretrial exhibit and testimony designations, and witness lists to opposing counsel per FRCP 26(a)(3)(B).
1/12/2024	Last day to file motions in limine.
1/17/2023	Last day to file responses to opposing parties' motions in limine.
1/19/2024	Last day for parties to file Pretrial Memos.
2/2/2024	Last day to file Joint Pretrial Order.
2/15/2024	Pretrial Conference (Memphis, TN) at 10:00 AM.
2/26/2024	Last day to file proposed jury instructions, any special <i>voir dire</i> questions, and any special interrogatories or verdict forms.
3/11/2024	Jury trial begins (Memphis, TN) at 9:30 am.

## **II. PENDING MOTIONS**

For the Court's reference, the following is a list of pending motions:

### **A. Plaintiffs' Pending Motions**

1. Plaintiffs' Motion to Appoint Lead Counsel and Certificate of Consultation (ECF No. 380);
2. Plaintiffs' Motion to Exclude Jonathan M. Orszag and Dr. Kevin Murphy, in Part and Certificate of Consultation (ECF No. 384);
3. Indirect Purchaser Plaintiffs' Motion for Class Certification (ECF No. 387 (public); ECF No. 389 (filed under seal));
4. Plaintiffs' Motion to Add Class Representative (ECF No. 394);
5. Plaintiffs' Cross-Motion for Sanctions Against Defendants and Counsel and Memorandum of Law in Support (ECF No. 416 (Public); ECF No. 417 (filed under seal)); and
6. Plaintiffs' Motion for Leave to File Late-Produced Document in Opposition to Motion for Summary Judgment (ECF No. 522 (public); ECF No. 523 (filed under seal)).

### **B. Defendants' Pending Motions**

1. Defendants' Motion to Exclude the Testimony of Janet S. Netz, PhD (ECF No. 382 (public); ECF No. 383 (filed under seal));
2. Defendants' Motion to Exclude Testimony of James H. Aronoff (ECF No. 385 (public);
3. Defendants' Motion to Exclude the Testimony of Randal H. Heeb, PhD (ECF No. 388 (public); ECF No. 390 (filed under seal));
4. Defendants' Motion to Exclude the Testimony of Jen Maki, PhD (ECF No. 391 (public); ECF No. 392 (filed under seal));
5. Defendants' Motion for Sanctions Under Rule 11 of the Federal Rules of Civil Procedure and Memorandum in Support Thereof (ECF No. 402 (public); ECF No. 403

(filed under seal));

6. Defendants' Joint Motion for Summary Judgment (ECF No. 466 (public); ECF Nos. 467, 469, 471–473 (filed under seal)); and

7. Defendants' Motion to Dismiss and to Strike Claims Previously Dismissed and Materials Previously Struck (ECF No. 511).

Dated: December 29, 2023

Respectfully submitted,

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